

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA,
Plaintiff,

v.

NATHAN REARDON,
Defendant.

Criminal No. 1:21-cr-00061-LEW

MOTION TO EXPUNGE PROBATION VIOLATION

COMES NOW, Nathan Reardon, Defendant, proceeding pro se, and respectfully moves this Court to expunge the record of his August 2023 probation violation and related incarceration. This motion is grounded in newly available appellate authority and constitutional considerations, and seeks to correct a profound miscarriage of justice.

FACTUAL AND PROCEDURAL BACKGROUND

On or about August 2023, Defendant was arrested and incarcerated for allegedly violating a condition of supervised release that prohibited self-employment. Defendant consistently objected to this restriction, noting it lacked statutory basis and unjustly interfered with his livelihood.

In May 2024, the First Circuit Court of Appeals issued a ruling striking down this same self-employment condition as unconstitutional. Despite this appellate ruling, the district court had previously enforced the condition and ordered Defendant's incarceration. In April 2025, the same court vacated the self-employment ban, validating Defendant's long-standing position that it was unlawfully imposed and enforced.

ARGUMENT

The record of the probation violation and related incarceration must be expunged for the following reasons:

1. The condition forming the basis of the violation was later deemed unlawful by the First Circuit.
2. Enforcement of the condition violated Defendant's due

process rights.

3. Continued retention of the violation in Defendant's record imposes collateral consequences that are unwarranted and unjust.

4. The supervising attorney, Hunter Tzovarras, failed to timely file for relief from the condition despite multiple requests, contributing to Defendant's wrongful incarceration.

5. The district court itself recognized the overreach and has since rescinded the condition.

This probation violation is constitutionally tainted and factually unsupported. It would be inequitable and unlawful for it to remain on Defendant's record.

RELIEF REQUESTED

Defendant respectfully requests this Court to:

- (1) Expunge the August 2023 probation violation from his criminal record;
- (2) Strike all references to the violation from the docket and BOP file;
- (3) Declare the condition unconstitutional as applied in this case;
- (4) Grant any additional relief deemed just and proper.



Respectfully submitted,

/s/ Nathan Reardon

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